

COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

Ordinance No. **O-18-01**

Introduced by: City Council

Date Introduced: September 11, 2017

First Reading: September 11, 2017

Second Reading: September 18, 2017

Date Passed: September 18, 2017

Date Effective: **October 16, 2017**

AN ORDINANCE concerning

Chapter 150-Vehicles and Traffic

FOR the purpose of reenacting Chapter 150-Vehicles and Traffic regulations relating to the parking, stopping, standing and use of vehicles on public and private property in the City of Seat Pleasant; defining certain terms; providing certain powers, duties and authority to the City Administrator and the City Police Department; establishing certain parking, stopping and standing restrictions and regulation applicable within the City; providing for the establishment of parking permit areas and the issuance of parking permits and photo enforcement citations; providing for towing, impoundment and release of vehicles; providing regulations relating to public parking facilities; establishing regulations relating to abandoned vehicles; regulating the use of City streets and roads by trucks; providing for the designation of snow emergency routes and restricting parking on such routes; restricting the use of bridges or culverts in the City; providing for the removal of obstructions to the vision of vehicle operators; providing for the designation of certain sidewalks and trails for exclusive or combined use of bicycles, play vehicles or pedestrians; providing certain exceptions to certain regulations and restrictions; regulating the registration and use of off-the-road motorcycles; providing penalties for violations; providing that the provisions of this Ordinance are severable; providing for the effective date of this ; and generally relating to the comprehensive regulation of parking, stopping, standing and use of vehicles in the City of Seat Pleasant.

BY amending

Chapter 150 – Vehicles and Traffic
Sections 150-1 through 150-76
Code of the City of Seat Pleasant
1994 Edition, as amended

SECTION 1. BE IT ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that Chapter 150, Vehicles and Traffic, of the Code of the City of Seat Pleasant (1994, as amended), consisting of Sections 150-5, 150-9-10, 150-13, 150-15,150-18-23, 150-27-30, 150-33, 150-36, 150-43, 150-45-48, 150-50-51, 150-53-54,150-56-59, 150-61-64, 150-66-74 is hereby reenacted in its entirety, without amendments, except for Sections 150-1-4, 6-8, 150-11-12, 150-14, 150-16-17,150-24-26, 150-31-32, 150-34-35,150-37-42, 150-44, 150-49, 150-52, 150-55, 150-60, 150-65, 150- 75, with renumbering of Chapters 150-31-76.

SECTION 2. BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that Chapter 150, Vehicles and Traffic, of the Code of the City of Seat Pleasant (1994, as amended), consisting of Sections 150-5, 150-9-10, 150-13, 150-15,150-18-23, 150-27-30, 150-33, 150-36, 150-43, 150-45-48, 150-50-51, 150-53-54,150-56-59, 150-61-64, 150-66-74 is hereby reenacted in its entirety, without amendments, except for Sections 150-1-4,6-8,150-11-12, 150-14, 150-16-17,150-24-26, 150-31-32, 150-34-35,150 37-42, 150-44, 150-49, 150-52, 150-55, 150-60, 150-65,150- 75, with renumbering of Chapters 150-31-76 of the Code of the City of Seat Pleasant (1994, as amended), to read as follows:

Chapter 150 – VEHICLES AND TRAFFIC

ARTICLE I. GENERAL PROVISIONS

§ 150-1. GENERAL DEFINITIONS.

- A. NO CHANGES
- B. NO CHANGES
- C. **AUTHORIZED SERVICE PROVIDER** – A COMPANY AUTHORIZED TO PROVIDE PARKING SERVICES FOR THE CITY.
- D. – V. NO CHANGES

ARTICLE II. PARKING REGULATIONS

§ 150-2. AUTHORITY OF CITY ADMINISTRATOR.

A. NO CHANGES

B. NO CHANGES

C. SET ADMINISTRATIVE FEES

§ 150-3. PARKING FOR LONGER THAN SEVENTY-TWO HOURS PROHIBITED.

A. NO CHANGES

B. ANY VEHICLE WHICH IS PARKED IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO BEING TOWED BY THE CITY POLICE DEPARTMENT FROM SUCH HIGHWAY OR STREET AND IMPOUNDED. THE IMPOUNDMENT OF THE VEHICLE SHALL BE DONE PURSUANT TO ARTICLE IV.

C. Any person issued a citation for a violation for this section shall be subject to a fine of fifty dollars (\$50.00) for each violation.

§ 150-4. OVERNIGHT AND WEEKEND PARKING OF COMMERCIAL BUSES, TRAILERS, AND TRUCKS RESTRICTED; IMPOUNDING; PENALTY.

A. NO CHANGES

B. NO CHANGES

C. Any vehicle which is parked in violation of this section shall be subject to being towed by the city police department from such highway or street and impounded ~~after it has been parked for a twenty-four (24) hour period.~~ The impoundment of the vehicle shall be done pursuant to article iv of this chapter.

D. NO CHANGES

§ 150-5. AUTHORITY TO DESIGNATE LOADING ZONES.

NO CHANGES

§ 150-6. STANDING IN PASSENGER LOADING ZONES.

A. NO CHANGES

B. Any person issued a citation for a violation of this section shall be subject to a fine of ((ten)) FIFTY DOLLARS (\$10.00 50.00) for each violation.

§ 150-7. STANDING IN LOADING ZONES.

- A. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a loading zone during hours when the provisions applicable to such zones are in effect. In no case, shall the stop for loading and unloading for property exceed thirty (30) minutes.
- B. The driver of a passenger vehicle may stop temporarily at a loading zone for the purpose of, and while actually engaged in, loading or unloading passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter such zone to load or unload property.
- C. Any person issued a citation for a violation of this section shall be subject to a fine of ((TWENTY)) FIFTY dollars (\$20 50.00) for each violation.

§ 150-8. STANDING OR PARKING RESTRICTED AT BUS STOPS.

- A. The city administrator is hereby authorized to approve or disapprove the location of bus stops or rescind or modify any prior approval heretofore given.
- B. No person shall stop, stand or park a vehicle other than a bus within thirty (30) feet of a bus stop, except that a driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, loading or unloading passengers when such stopping does not interfere with any bus waiting to enter such zone. Any person issued a citation for violation of this subsection shall be subject to a fine of ((twenty)) FIFTY dollars (\$20 50.00) for each violation.

§ 150-11. RESERVED PARKING FOR THE HANDICAPPED.

- A. NO CHANGES
- B. NO CHANGES.

((C. THE PROVISIONS OF THE PARKING OF SECTION 150-9 SHALL NOT BE SUBJECT TO THE PENALTY IMPOSED UNDER THIS SECTION.))

§ 150-12. STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES.

- A. NO CHANGES.
- B. NO CHANGES

C. STANDING OR PARKING. NO PERSON SHALL STAND OR PARK A VEHICLE:

1.-17 NO CHANGES

**18. ADJACENT TO A CURB WHICH THE CITY HAS MARKED
YELLOW OR RED**

D. NO CHANGES

E. NO CHANGES

**§ 150-14. UNAUTHORIZED USE OF RESERVED PARKING SPACES;
IMPOUNDING; PENALTY.**

A. NO CHANGES

B. NO CHANGES

C. Any person issued a citation for violation of this section shall be subject to a fine of ~~twenty-five~~ FIFTY dollars (\$~~25~~ 50.00) for each violation.

§ 150-16. USE OF PARKING METERS; IMPOUNDING; PENALTY.

A. NO CHANGES

B. NO CHANGES

C. Any person issued a citation for a violation of this section shall be subject to a fine not exceeding ~~FIFTEEN~~ FIFTY DOLLARS (\$~~15~~50.00) for each offense.

§ 150-17. PARKING METERS OR SIGNS.

A. NO CHANGES

B. Any person violating this section shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding ~~twenty-five~~ FIFTY dollars (\$~~25~~ 50.00) for each offense.

ARTICLE IV. IMPOUNDMENT

§ 150-24. IMPOUNDMENT WITHOUT PRIOR NOTICE.

A vehicle subject to impoundment under any provision of federal, state, or local law may be

impounded without giving prior notice to its owner under the following circumstances:

A. -L. NO CHANGES

M. WHEN THE VEHICLE IS PARKED IN VIOLATION OF § 150-3; OR

N. WHEN THE VEHICLE IS DESIGNED FOR OFF ROAD USE AND IS BEING OPERATED OR PARKED ON PUBLIC PROPERTY WITHOUT AUTHORIZATION AND/OR IS NOT IN COMPLIANCE WITH APPLICABLE LAW; OR

O. ANY VEHICLE OPERATED ON A ROADWAY OR PARKED ON PUBLIC PROPERTY WHICH IS UN-REGISTERED, DISPLAYING IMPROPER TAGS, OR HAS EXPIRED REGISTRATION; OR

P. ANY VEHICLE BEING OPERATED ON PUBLIC PROPERTY OR ROADWAY WHICH IS UNSAFE FOR SUCH USE; OR

Q. ANY VEHICLE WHICH IS OR WAS OPERATED BY A DRIVER THAT IS NOT LEGALLY PERMITTED TO OPERATE A VEHICLE ON A ROADWAY; OR

R. WHEN THE VEHICLE IS PARKED IN VIOLATION OF § 150-65; OR

S. WHEN THE VEHICLE IS PARKED IN VIOLATION OF § 150-47.

§ 150-25. IMPOUNDMENT AFTER PRIOR NOTICE.

~~A. A vehicle that is otherwise subject to impoundment pursuant to federal, state, or local law but may not be subject to impoundment without prior notice pursuant to section 150-24 of this code may not be impounded until ~~seven~~ SEVENTY-TWO (72) HOURS ~~calendar days~~ after notice of such proposed impoundment has been securely attached to, and conspicuously displayed on the vehicle. ~~and has been mailed to the last known address of the registered owner and to each secured party as may be disclosed by the vehicle license number, and to any other person who claims the right to possession of such vehicle and whose identity is known.~~~~

((B. The notice shall state that the owner, secured party of the motor vehicle, or one who claims possession may request a hearing to determine whether there is probable cause to impound the vehicle within seven (7) calendar days of the posting of the notice on the vehicle and the mailing. failure to timely request a hearing shall be deemed a waiver of the right to a hearing.

C. If a request for a hearing is received by the police department within seven (7) calendar days of the posting of the notice and mailing, a hearing shall be held before a hearing officer designated by the city administrator within twenty-one (21) calendar days of the request. The vehicle shall not be impounded unless the hearing officer finds that there is probable cause to impound the vehicle. Reasonable charges for costs attributable to the towing and storage of the vehicle impounded is ARE hereby authorized. These charges shall be paid to the custodian of the vehicle by the person to whom the vehicle is registered, his authorized agent, or the person to whom the vehicle is released.))

§ 150-26. IMPOUNDMENT; NOTICE TO OWNER.

- A. Within two (2) full City working days after impoundment of any vehicle pursuant to § 150-24A(1) through (7) of this code, the Police Department **OR A DESIGNATED SERVICE PROVIDER** shall mail a notice by ~~certified~~ FIRST CLASS mail to the last known registered owner of the vehicle and to each secured party, as may be disclosed by the vehicle license number, if such be obtainable, and to any other person who claims the right to possession of the vehicle, if such a claim is actually known to an officer, agent or employee of the Police Department who has knowledge of the impoundment. If a police officer who has knowledge of the impoundment has reason to believe that an owner or one who claims the right to possession of the vehicle is residing or is in custody at some different address which is known to the officer, a copy of the notice shall also be mailed by regular mail to such owner or claimant at the known address. If a vehicle is redeemed prior to the mailing of such notice, then notice need not be mailed.

- B. NO CHANGES

**ARTICLE V. TOWING AND IMPOUNDMENT OF MOTOR VEHICLES FROM
PRIVATE PROPERTY**

((§ 150-31. OBTAINING OF SIGNS; EXECUTION OF AGREEMENT.

- A. ANY PROPERTY OWNER DESIRING TO UTILIZE THE PROCEDURES PROVIDED BY THIS ARTICLE SHALL OBTAIN FROM THE CHIEF OF POLICE APPROVAL FOR SIGNS WHICH SHALL BE POSTED ON SAID OWNER'S PROPERTY, BEFORE ERECTING SAID SIGN OR SIGNS, A PROPERTY OWNER SHALL EXECUTE AN INDEMNIFICATION AND SAVE HARMLESS AGREEMENT WHICH SHALL PROVIDE THAT THE PROPERTY OWNER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AGAINST ANY CLAIM OF DAMAGE RESULTING FROM THE TOWING AND IMPOUNDMENT OF VEHICLES REMOVED FROM SAID PRIVATE PROPERTY PURSUANT TO THIS ARTICLE.
- B. ANY PERMITS OR STICKERS OR OTHER METHOD INDICATING AUTHORIZED PARKING ON POSTED PROPERTY MUST BE APPROVED BY THE CHIEF OF POLICE AS TO DESIGN AND CONTENT.))

§ 150-32. CONTENT AND LOCATION OF SIGNS.

((Signs as described in section 150-31 shall state that unauthorized parking is prohibited and that vehicles parked without authorization may be towed and impounded without notice at the vehicle owner's expense. Said signs shall be posted in such a manner and in such a location as to be clearly visible from the area where parking is to be prohibited and subject to prior approval by the chief of police.))

(A) IN GENERAL, THE OWNER OR OPERATOR OF A PARKING LOT OR THE OWNER'S OR OPERATOR'S AGENT MAY NOT HAVE A VEHICLE TOWED OR

OTHERWISE REMOVED FROM THE PARKING LOT UNLESS THE OWNER, OPERATOR, OR AGENT HAS PLACED IN CONSPICUOUS LOCATIONS, AS DESCRIBED IN SUBSECTION (B) OF THIS SECTION, SIGNS THAT:

- (1) ARE AT LEAST 24 INCHES HIGH AND 30 INCHES WIDE;
- (2) ARE CLEARLY VISIBLE TO THE DRIVER OF A MOTOR VEHICLE ENTERING OR BEING PARKED IN THE PARKING LOT;
- (3) STATE THE LOCATION TO WHICH THE VEHICLE WILL BE TOWED OR REMOVED AND THE NAME OF THE TOWING COMPANY;
- (4) STATE THAT STATE LAW REQUIRES THAT THE VEHICLE BE AVAILABLE FOR RECLAMATION 24 HOURS PER DAY, 7 DAYS PER WEEK;
- (5) STATE THE MAXIMUM AMOUNT THAT THE OWNER OF THE VEHICLE MAY BE CHARGED FOR THE TOWING OR REMOVAL OF THE VEHICLE; AND
- (6) PROVIDE THE TELEPHONE NUMBER OF A PERSON WHO CAN BE CONTACTED TO ARRANGE FOR THE RECLAIMING OF THE VEHICLE BY ITS OWNER OR THE OWNER'S AGENT.

(B) LOCATION. THE SIGNS DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL BE PLACED TO PROVIDE AT LEAST 1 SIGN FOR EVERY 7,500 SQUARE FEET OF PARKING SPACE IN THE PARKING LOT.

150-33. COMPLAINT BY PROPERTY OWNER.

ANY PROPERTY OWNER OR PROPERTY OWNER'S AGENT MAY, WHEN A VEHICLE IS PARKED WITHOUT AUTHORIZATION UPON HIS PRIVATE PROPERTY WITHOUT HIS CONSENT, MAKE A COMPLAINT TO AN AUTHORIZED TOWING COMPANY STATING THAT HE REQUESTS THAT SAID VEHICLE BE REMOVED FROM HIS PROPERTY. SAID COMPLAINT SHALL BE ON A FORM APPROVED BY THE CHIEF OF POLICE AND SHALL CONTAIN A STATEMENT MADE BY THE PROPERTY OWNER OR PROPERTY OWNER'S AGENT, UNDER OATH, THAT THE VEHICLE WHICH THEY SEEK TO HAVE REMOVED WAS PARKED ON HIS PROPERTY WITHOUT HIS CONSENT AND THAT THE VEHICLE WAS PARKED IN AN AREA FROM WHICH A SIGN PROHIBITING UNAUTHORIZED PARKING WAS CLEARLY VISIBLE.

§ 150-34. TOW SLIP.

- A. The towing company shall cause to be presented to the property owner or property owner's

agent a tow slip, ((approved by the chief of police as to be form and content,)) which shall consist of one (1) original and three (3) copies. The towing company shall cause said tow slip to be completed by filling in all pertinent data. Before towing or removing the subject vehicle, The towing company shall cause the property owner or property owner's agent to sign said tow slip in the place provided. the towing company shall then cause a copy of the towing slip to be securely affixed to the subject vehicle.

B. NO CHANGES

§ 150-35. TOWING OF VEHICLE.

A. BEFORE TOWING OR REMOVING THE VEHICLE, THE TOWING COMPANY SHALL HAVE WRITTEN AUTHORIIZATION OF THE PARKING LOT OWNER WHICH SHALL INCLUDE:

- a. THE NAME OF THE PERSON AUTHORIZING THE TOW OR REMOVAL;**
 - b. A STATEMENT THAT THE VEHICLE IS BEING TOWED OR REMOVED AT THE REQUEST OF THE PARKING LOT OWNER; AND**
 - c. PHOTOGRAPHIC EVIDENCE OF THE VIOLATION OR EVENT THAT PRECIPITATED THE TOWING OF THE VEHICLE.**
- B. After completion of the requirements of section 150-34 of this article, the towing company may proceed to tow the subject vehicle to an impoundment facility maintained by the city or by an authorized towing company.
- C. Within one (1) hour after completion of the removal of the subject vehicle, the authorized towing company shall notify the city police department of the location and identification of the vehicle.

D. IN NO EVENT, SHALL THE IMPOUNDED VEHICLE BE TOWED TO A STORAGE LOT MORE THAN 10 MILES FROM THE PRIVATE PROPERTY.

§ 150-37. NOTIFICATION TO OWNER.

A. Notification after impoundment shall be in accordance with the provisions of section 150-26 of this code. **HOWEVER, SAID NOTICE SHALL BE MADE EXCLUSIVELY BY THE TOWING FACILITY RECEIVING SAID IMPOUNDED VEHICLE.**

B. NO CHANGES

§ 150-38. NOTIFICATION BY PUBLICATION.

A. NO CHANGES

~~B. UNDER SUBSECTION A.1. OF THIS SECTION, THE POLICE DEPARTMENT THE~~

TOWING FACILITY shall give the notice provided for in section 150-37 by publication in at least one (1) newspaper of general circulation in Prince George's County, Maryland.

C. NO CHANGES

§ 150-39. HEARING; DETERMINATION; APPEALS.

- A. Within twenty-one (21) days from the date notice is mailed ~~by the city police department~~ pursuant to the sections 150-37 and 150-38 of this article, the owner or secured party of a vehicle which has been impounded may request that a hearing be held to determine whether the vehicle was properly towed and impounded under the provisions of this article. The request for a hearing shall be made by filing a request-for-hearing form with the police department.
- B. The hearing shall be held within ~~three~~ THIRTY (30) ~~working~~ CALENDAR days after the request for a hearing is filed with the police department. the hearing shall be before a hearing officer designated by the city administrator. such hearing officer shall not be a member of any state or local police department.
- C. Determination as to whether vehicle was parked illegally.
 1. If it is determined at the hearing that the vehicle was not parked on private property in violation of this article, then the hearing officer shall issue an order that the vehicle be returned to the owner and that such owner is not liable for any of the towing, storage, or other charges incurred ~~by the city police~~ in connection with the impoundment. If the owner has already paid such towing, storage and other charges ~~to the city police~~, he shall be entitled to receive reimbursement of all such payments from the ~~city police~~ which, in turn, shall be entitled to payment of all ~~such charges from the~~ property owner who filed the complaint which caused the towing and impoundment of the vehicle.
 2. If the hearing officer shall determine that the vehicle was illegally parked on private property in violation of this article, then the owner of the vehicle may not reclaim it until he has paid ~~to the city police~~ all towing and storage charges and cost of notice incurred by the city police.

§ 150-40. PAYMENT OF CHARGES.

The owner or secured party of a vehicle which has been impounded may reclaim such vehicle within twenty-one (21) days of the date notice is mailed ~~by the city police~~ pursuant to sections 150-37 and 150-38 by paying all towing and storage charges and cost of notice incurred in connection with said impoundment pursuant to regulations issued by THE chief of police.

§ 150-41. FAILURE TO RECLAIM VEHICLE.

If the owner or secured party fails to reclaim an impounded vehicle within twenty-one (21) days

after notice is mailed by the city police pursuant to this article, the owner or secured party is deemed to have waived all of his right, title and interest to the vehicle and to have consented to the sale of the vehicle at public auction.

§ 150-42. SALE OF VEHICLE; DISPOSITION OF PROCEEDS.

~~IF AN IMPOUNDED VEHICLE IS NOT RECLAIMED AS PROVIDED FOR IN THIS ARTICLE, THE VEHICLE MAY BE SOLD AT PUBLIC AUCTION. THE BUYER OF THE VEHICLE AT AUCTION SHALL TAKE TITLE TO THE VEHICLE FREE AND CLEAR OF ANY CLAIM OF OWNERSHIP OR LIEN, SHALL BE ENTITLED TO A SALES RECEIPT FROM THE CITY POLICE AND SHALL BE ENTITLED TO OBTAIN A CERTIFICATE OF TITLE OF THE VEHICLE AND TO REGISTER IT IN HIS OWN NAME. THE SALE RECEIPT SHALL BE SUFFICIENT TITLE FOR TRANSFERRING THE VEHICLE TO A SCRAP PROCESSOR FOR DISMANTLING, DESTROYING OR SCRAPPING, IN WHICH CASE ONLY, A CERTIFICATE OF TITLE IS NOT REQUIRED, THE CITY POLICE OR THE AUTHORIZED TOWING COMPANY SHALL REIMBURSE ITSELF FROM THE PROCEEDS OF THE SALE OF THE VEHICLE FOR THE COST OF TOWING, PRESERVING AND STORING THE VEHICLE, AND THE EXPENSES OF THE AUCTION, INCLUDING ALL NOTICE AND PUBLICATION COST INCURRED UNDER THIS ARTICLE. ANY REMAINING PROCEEDS OF THE SALE SHALL BE HELD FOR NINETY (90) DAYS FOR THE OWNER OF THE VEHICLE AND ANY ENTITLED SECURED PARTY, AFTER WHICH THE REMAINING PROCEEDS SHALL REVERT TO THE TREASURY OF THE CITY.~~

ARTICLE VI. PUBLIC PARKING AREAS

§ 150-44. PARKING REGULATIONS—PUBLIC PARKING FACILITIES.

A. NO CHANGES

B. ANY person issued a citation for a violation of this section shall be subject to a fine of Twenty FIFTY Dollars (\$250.00) for each violation.

ARTICLE VII. ABANDONED VEHICLES

§ 150-49. ABANDONED VEHICLES PROHIBITED.

A. NO CHANGES

B. Abandoned vehicle means any motor vehicle, trailer, or semi-trailer:

1. That is inoperable and left unattended on public property for more than 48 24 hours;
2. That HAS BEEN PARKED REMAINED illegally on public property for more than 48 hours;

3. ~~THAT HAS REMAINED ON PUBLIC PROPERTY FOR MORE THAN 48 HOURS AND~~
- ~~A. IS NOT DISPLAYING CURRENTLY VALID REGISTRATION PLATES; OR~~
 - ~~B. IS DISPLAYING REGISTRATION PLATES OF ANOTHER VEHICLE.~~
3. That has remained on private property for more that forty-eight hours and
- A. Is inoperable in that one or more of its major mechanical components, including but not limited to engine, transmission, drive train, and wheels, is missing or not functional unless such vehicle is kept in an enclosed building or as permitted by chapter 154 of this code; or
 - B. Is not displaying currently valid registration plates; or
 - C. Is displaying registration plates of another vehicle.

D. NO CHANGES

E. NO CHANGES

ARTICLE VIII. MISCELLANEOUS REGULATIONS

§ 150-52. AUTHORITY TO DESIGNATE SNOW EMERGENCY ROUTES.

- A. NO CHANGES
- B. NO CHANGES
- C. NO CHANGES
- D. Any person issued a citation for a violation of this section shall be subject to a fine of ~~thirty~~FIFTY dollars (\$350.00) for each violation.

§ 150-55. RESTRICTING USE OF STREETS FOR CONSTRUCTION, ETC., PURPOSES.

- A. NO CHANGES
- B. No person shall park or drive a vehicle on the public road, street, alley, or other public controlled way in violation of a closed street sign, no parking sign, or other traffic or signal as posted. any person issued a citation for a violation of this section shall be subject to a fine of ~~thirty~~FIFTY dollars (\$350.00) for each violation.

ARTICLE IX. BICYCLES AND PLAY VEHICLES

§ 150-60. MOTORIZED VEHICLES PROHIBITED.

No person shall stop, park, stand, or drive any motorized vehicle on any sidewalk or trail established under this article. Any person issued a citation for a violation of this section shall be subject to a fine of ~~ten~~ FIFTY dollars (\$ 450.00) for each offense.

ARTICLE X. PENALTIES

§ 150-65. Outstanding traffic and parking, PHOTO ENFORCEMENT violation notices; impoundment.

A. Any unattended motor vehicle found parked at any time upon any public street in the CCity of Seat Pleasant, or any parking facility owned or operated by the city of seat pleasant, against which there are two or more outstanding or otherwise DELINQUENT ~~unsettled~~ traffic ~~and/or~~ parking, AND/OR PHOTO ENFORCEMENT violation notices or against which there have been issued two or more warrants, may, by, or under the direction of the city police department either by towing or otherwise, be removed or conveyed to and/or impounded to any place designated by the chief of police, or immobilized by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.

B. NO CHANGES

C. NO CHANGES

Referral for Collection

§ 150-75. Referral authorized; fee.

Where any fees or fines are assessed or imposed in accordance with this chapter, and where such fees or fines are unpaid and outstanding for 30 or more days, the City, in its sole and absolute discretion and to the extent permitted by law, may refer such debt to a collection agency or an attorney for collection. ~~In addition, such debt may be reported to a major credit bureau, in accordance with state and federal law.~~ For all accounts referred to a collection agency or an attorney for collection, such accounts shall be subject to a collection fee not to exceed two times the outstanding debt or the total sum indebted to the City, whichever is greater. The City may alternatively or further elect to file a civil suit against the debtor to recover such outstanding and unpaid fees or fines, and reasonable legal fees incurred by the City.

SECTION 3. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant.(1994 Edition, as amended) in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

SECTION 6. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

SECTION 7. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the City Clerk shall certify to the passage of this ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

COUNCIL OF THE CITY OF SEAT PLEASANT

Charl Jones, Councilmember

Lamar Maxwell, Councilmember

Kelly Porter, Councilmember

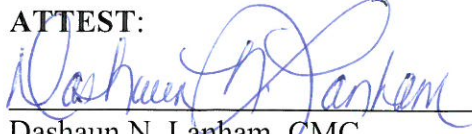
Reveral L. Yeargin, Councilmember

Hope Love, Councilmember

Shireka McCarthy, Councilmember

Gloria L. Sistrunk, Councilmember

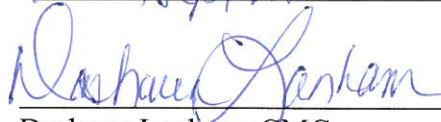
ATTEST:



Dashaun N. Lanham, CMC
City Clerk

APPROVED:

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to § C-313 of the Charter of the City of Seat Pleasant this 19th September, 2017



Dashaun Lanham, CMC
City Clerk

In accordance with § C-313 of the Charter of the City of Seat Pleasant, I hereby (APPROVE) (DISAPPROVE) of this Ordinance this _____, 2017.

Eugene W. Grant, Mayor

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.
